IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 22ND JUNE 2007 / 1ST ASHADHA 1929

Crl.MC.No. 4330 of 2005()

CC.877/2005 of JUDL. MAGI. OF FIRST CLASS-I (FOREST OFFENCES), THODUPUZHA

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PETITIONER: ACCUSED

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1. K.M.JOSE @ BABY,
   S/O.K.M.MATHEW, KUNNAMKUZHAKKAL HOUSE,
   KOLANI P.O., THODUPUZHA.

2. K.M.THOMAS @ THOMMAN,
   KUNNUMKUZHAKKAL, KOLANI P.O.,
   THODUPUZHA.

3. K.M.MATHEW, KUNNUMKUZHAKKAL,
   KOLANI P.O., THODUPUZHA.

4. K.M.CHACKO @ KUTTAPPAN,
   KUNNUMKUZHAKKAL, KOLANI P.O., THODUPUZHA.

5. K.M.SIMON, KUNNUMKUZHAKKAL,
   KOLANI P.O., THODUPUZHA.

BY ADV. SRI.G.HARIHARAN
SRI.PRAVEEN.H.

RESPONDENTS: STATE AND COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY
   THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
   THODUPUZHA POLICE STATION, THODUPUZHA.

3. MATHEW JACOB @ RAJAPPAN,
   S/O.CHACKO, THAZHATHEPARAMBIL HOUSE,
   MANNARKKAD P.O., THODUPUZHA, IDUKKI DISTRICT.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB
SRI.S.ANANTHAKRISHNAN
SRI.N.K.SUBRAMANIAN

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 22/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

Crl.M.C.No.4330 of 2005

Dated this the 22nd day of June, 2007

ORDER

There is no representation for the petitioner. This Crl.M.C has been filed to quash the proceedings initiated, inter alia, under Section 447 I.P.C. It was submitted at the Bar that the matter has been settled. It was specifically directed on 13.04.2007 that if the matter is settled, a joint application must be filed by the next date of posting. If not, counsel were directed to get ready for arguments.

2. But as stated earlier, today, when the matter came up for hearing, there is no representation for the petitioner. The note by the Registry shows that no joint application has been filed as directed. The learned counsel for the respondent however submits that the matter is settled between the parties, according to his instructions. No joint application has been filed also. I am satisfied, in these circumstances, that no further direction need be issued now. If the matter has been settled, the complainant can take steps before the court below to bring the proceedings to premature termination.

3. This Crl.M.C is, in these circumstances, dismissed with the above observations.

(R.BASANT, JUDGE)

rtr/-

R.BASANT, J

Crl.M.C.No.4330 of 2005

Dated this the 13th day of April, 2007

ORDER

The learned counsel for the petitioners asserts that there has been a settlement of the dispute between the parties, the learned counsel for the 3rd respondent submits that he has no instructions about any such settlement. Counsel wants time to take further instructions. If the matter is settled, a joint application for that effect shall be filed on the next date of posting, otherwise, counsel must be ready for arguments.

2. Call on 28.05.2007.

(R.BASANT, JUDGE)

rtr/-